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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Daniel Baker

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2341

24628

7590

01/13/2005

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/918,902	BAKER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Rasha S AL-Aubaidi	2642	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09/10/2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,6-25 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-25 and 27-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/22/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

***Response to Amendment***

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-4, 6-12, 21-25, and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busey in view of Villena et al (US PAT # 6,832,203).

Regarding claim 1, Busey teaches a method for distributing customer contacts to a transaction processing entity of a transaction processing system (this basically reads on distributing customers calls and questions to agents in

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system 10 of the call center 22, see summary of the invention, col. 4, lines 44-49, and col. 5, lines 15-25), such method comprising: determining a media type for a customer contact in the transaction processing system; finding a transaction processing entity that is capable of handling the media type; and routing the customer contact to a transaction processing entity that is capable of handling the media type (the claimed limitations of “determining a media type, finding a transaction processing entity that is capable of handling the media type, and routing the customer contact to a transaction processing entity that is capable of handling the media type” read all together on control 14, along with other processes and devices , which perform the function of these limitations in the call center, see col.12, lines 26-30, col. 4, lines 65-67 and col. 8, lines 1-5. Also, for further explanations on these limitations see the summary of the invention in Busey.

Busey does not specifically teach identifying the media type as exclusive or nonexclusive, and permitting no further customer contacts for the duration of said customer contact by said transaction processing entity if said media type is exclusive.

Villena teaches in a contact call center that is capable of matching the best available agent with contacts requiring particular services, an agent is assigned a plurality of skill scores, one for each type of services that the agent can process. If an agent can not do at all any particular skill required for a

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service, then the agent may not be used for that service at all (see abstract, col. 2, lines 33-37, and col. 4, lines 32-38).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of assigning a particular agent who has a particular skills to handle a particular service only based on his/her skills, as taught by Villena, into the Busey system in order enhance the efficiency of the call center by providing better and faster services to the customers/caller. For example, an agent with a very heavy accent may only handle e-mail and will not handle any voice calls. That is, the agent will exclusively handle e-mail while other agents may handle voice and email.

Claims 21-22 are rejected for the same reasons as discussed above with respect to claims 1 and 7. Also, for claims 22-23 limitations, Busey teaches searching a transaction processing entity that is not handling an exclusive media type (this may read on availability of agent, see col.8, lines 6-9 and/or the priority of task the agent is handling at the current time, see col.3, lines 55-60); determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (basically reads on "endpoint", see col.11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col.11, lines 53-67), and when the metric

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exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6).

Regarding claims 2 and 23, the claimed "determining a media type further comprises determining a source of the customer contact" basically reads on handling this call or addressing customer request based on type of the call (chat, e-mail, voice, etc) or the origination of the call. See col.8, lines 6-9 in Busey.

Regarding claims 3 and 24, Busey teaches the source is an access channel comprising at least one of a telephone, Internet, radio, cellular, satellite, cable, facsimile, email, web and video (see col. 8, lines 48-52, col.12, lines 13-25, and col.3, lines 9-15).

Regarding claims 4 and 25, Busey teaches the media type further comprises a priority level specifying the order in which the customer contacts are to be processed by the transaction processing entity (see col. 3, lines 17-23).

Regarding claims 6 and 27, Busey teaches the transaction processing entity comprises at least one of an agent (24 in Fig. 1A), an agent station (reads on computer 28 or telephone 26 in Fig. 1), a console, a terminal, and an interactive voice response unit (the use of an IVR is inherent feature in ACDs. However, Busey teaches the use of IVR, except this element is not shown, but the use of it was presented in the disclosure, see col. 27, lines 12-44).

Regarding claims 7 and 28, Busey teaches finding a transaction processing entity (reads on the agent at the agent station, see Fig.1) further comprises: finding a transaction processing entity that is not handling an exclusive media type (this may read on availability of agent, see col.8, lines 6-9 and/or the priority of task the agent is handling at the current time, see col.3, lines 55-60); determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (basically reads on "endpoint" , see col.11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col.11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6).

Regarding claims 8 and 29, Busey teaches finding a transaction processing entity further comprises searching a transaction routing table for a transaction processing entity that is processing a nonexclusive media type. This reads on the system searching for the idle agent to handle the next call (see col. 11, lines 33-35) or normally the agent who is not handling a high priority call or customer that requires full attention can be assigned to handle the next call.

Regarding claims 9 and 30, Busey teaches using a transaction routing table to list assigned customer contacts to transaction processing entities (this

basically reads on keeping track and recording the data and other information about customers' calls and the agents that are assigned to handle these calls, see col. 3, lines 32-47). Also, having a table that keeps agents activities and records is inherent in any call centers/ACD.

Claims 10 and 31 are rejected for the same reasons as discussed above with respect to claim 9. In addition, the feature of "routing table is updated once a customer contact has been routed to the transaction processing entity" is inherent. Busey teaches a table that keeps track of all agents' activities and performance (see for example, table I on col.15-16), therefore, when an agent is be assigned from serving an email to serving a phone call, normally his/her status will be changed and updated in the database as well.

Regarding claims 11 and 32, Villena teaches connecting the customer contact to the transaction processing entity that is capable of handling the call (see col. 2, lines 33-37, and col. 4, lines 32-38). This basically reads on the processing entity capable of handling the media type. Obviously, an agent that does not have a fast typing skill cannot be assigned to answer chat sessions with customers.

Regarding claims 12 and 33, Busey teaches the use of a matrix switch of an automatic call distributor. Matrix switch reads on the controller 122 (see Fig. 1C and col. 5, lines 62-63).



3. Claims 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busey.

Regarding claim 13, Busey teaches a method for distributing customer contacts to a transaction processing entity of a transaction processing system (this basically reads on distributing customers calls and questions to agents in system 10 of the call center 22, see summary of the invention, col.4, lines 44-49, and col.5, lines 15-25), such method comprising: determining a media type for a customer contact in the transaction processing system; searching a transaction processing entity that is capable of handling the media type; and routing the customer contact to a transaction processing entity that is capable of handling the media type (the claimed limitations of “determining a media type, finding a transaction processing entity that is capable of handling the media type, and routing the customer contact to a transaction processing entity that is capable of handling the media type” read all together on control 14, along with other processes and devices , which perform the function of these limitations in the call center, see col.12, lines 26-30, col. 4, lines 65-67 and col. 8, lines 1-5). Busey, also teaches determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (basically reads on “endpoint” (see col.11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col.11, lines 53-67), and when the

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metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6).

Busey does not specifically teach preparing a transaction routing table of transaction processing entities based on media types.

However, having a routing table for each agent that contains information such as for example, the media type that he/she can best handle would have been obvious since this will be considered as an agent profile that can be viewed by management in skill performance and promotions scenarios.

Regarding claim 14, Busey teaches the capable transaction processing entity (agent) comprises an agent station that is equipped with the necessary hardware to handle the media type (the hardware reads on computers 28 and telephones 26, see Fig. 1A).

Regarding claim 15, Busey teaches the necessary hardware comprises interfaces to an Internet, cable television, radio, satellite, and a telephone system (this reads on interface 144, see Fig. 1C and 244, col.6, lines 9-20 and Fig. 2C).

Regarding claim 16, the claimed "determining a media type further comprises determining a source of the customer contact" basically reads on handling this call or addressing customer request based on type of the call or the

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origination of the call (chat, e-mail, voice, etc). See col.8, lines 6-9 in Busey.

Regarding claim 17, Busey teaches the source is an access channel comprising at least one of a telephone, Internet, radio, cellular, satellite, cable, facsimile, email, web and video (see col. 8, lines 48-52, col.12, lines 13-25, and col.3, lines 9-15).

Regarding claim 18, Busey teaches the transaction processing entity comprises at least one of an agent (24 in Fig. 1A), an agent station (reads on computer 28 or telephone 26 in Fig. 1), a console, a terminal, and an interactive voice response unit (the use of an IVR is inherent feature in ACDs. However, Busey teaches the use of IVR, except this element is not shown, but the use of it was presented in the disclosure, see col. 27, lines 12-44).

Regarding claim 19, Busey teaches using a transaction routing table to list assigned customer contacts to transaction processing entities (this basically reads on keeping a track and recording the data and other information about customers calls and the agents that are assigned to handle these calls, see col. 3, lines 32-47). Also, having a table that keeps agents activities and records is inherent in any call centers/ACD.

Claim 20 is rejected for the same reasons as discussed above with respect to claim 19. In addition, the feature of "routing table is updated once a

customer contact has been routed to the transaction processing entity” is inherent. Busey teaches a table that keeps track of all agents’ activities and performance (see for example, table I on col.15-16), therefore, when an agent will be assigned from serving an email to serving a phone call normally his/her status will be changed and updated in the database as well.

### ***Response to Arguments***

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Rasha S. Al-Aubaidi

01/09/2005

  
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